

Message Text

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PAGE 01 LUANDA 01297 021731Z

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SUBJECT: LAW REGULATING CONTRACTS OF PORTUGUESE CIVIL SERVANTS IN
ANGOLA

1. THE TEXT OF THE STILL UNSIGNED LAW REGULATING THE CONDITIONS

UNDER WHICH PORTUGUESE CIVIL SERVANTS MAY REMAIN AND WORK
FOR THE ANGOLAN GOVERNMENT (ESTATUTO DE COOPERANTES) WAS
PUBLISHED

IN THE LUANDA PRESS ON SEPTEMBER 2. THE ONLY EDITORIAL COMMENT

WAS THAT IT WAS TOO BAD THE TEXT WAS NOT PUBLISHED EARLIER, AS
IT MIGHT HAVE HELPED STEM THE FLOW OF CIVIL SERVANTS FROM ANGOLA.

2. KEY PROVISIONS STATE THAT PORTUGUESE CIVIL SERVANTS MAY REMAIN
IN ANGOLA AFTER INDEPENDENCE AND CONTINUE TO WORK FOR THE
GOVERNMENT OF ANGOLA UNDER CONTRACTS VALID FOR AN INDEFINITE
PERIOD OF TIME. CONTRACTS MUST BE SIGNED FIFTEEN DAYS PRIOR TO
INDEPENDENCE; OTHERWISE, IT WILL BE UNDERSTOOD THAT THE EMPLOYEE
DOES NOT WISH TO CONTINUE IN THE EMPLOY OF THE ANGOLAN GOVERNMENT.
THE ONLY OBLIGATION BEYOND SIGNING THE CONTRACT IS TO SWEAR FIDELITY
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PAGE 02 LUANDA 01297 021731Z

TO THE GOVERNMENT OF ANGOLA, TO RESPECT THE LAWS OF THE

COUNTRY AND TO COOPERATE IN CARRYING OUT THE HIGHER AIMS OF THE STATE.

3. CONTRACT EMPLOYEES WILL BE GUARANTEED THE SAME TREATMENT AS ANGOLAN EMPLOYEES OF THE SAME RANK, AND IN NO CASE WILL THE TREATMENT BE ANY LESS FAVORABLE THAN THAT ENJOYED PREVIOUSLY BY THE EMPLOYEE, SPECIFICALLY WITH REFERENCE TO SALARIES AND PERMANENT FRINGE BENEFITS. CONTRACT EMPLOYEES ACCRUE THIRTY DAYS LEAVE ANNUALLY AND WILL HAVE THE RIGHT TO TRANSFER TO PORTUGAL UP TO FIFTY PER-CENT OF THEIR SALARY EACH MONTH. THE PORTUGUESE GOVERNMENT IS RESPONSIBLE FOR PAYING RETIREMENT AND RELATED BENEFITS, WHETHER ACCRUED BEFORE OR AFTER INDEPENDENCE. THE ANGOLAN GOVERNMENT WILL BE RESPONSIBLE FOR THE PAYMENT OF RETIREMENT BENEFITS TO THOSE CONTRACT EMPLOYEES WHO ACQUIRE ANGOLAN NATIONALITY, INCLUDING THOSE BENEFITS ACCRUED PRIOR TO INDEPENDENCE.

4. CONTRACTS MAY BE TERMINATED UNILATERALLY BY GIVING THREE MONTHS NOTICE ON THE PART OF THE EMPLOYEE, OR SIX MONTHS ON THE PART OF THE STATE. CONTRACTS MAY BE TERMINATED IMMEDIATELY BY EITHER PARTY FOR JUST CAUSE. ALL DISCIPLINARY ACTIONS AGAINST CONTRACT EMPLOYEES WILL BE REVIEWED BY A DISCIPLINARY BOARD MADE UP OF TWO REPRESENTATIVES OF THE ANGOLAN GOVERNMENT AND TWO REPRESENTATIVES OF THE CONTRACT EMPLOYEES. THE BOARD WILL BE CHAIRED BY AN APPEALS COURT JUDGE NOMINATED BY THE ANGOLAN GOVERNMENT.

5. WHEN A CONTRACT IS TERMINATED FOR WHATEVER REASON, THE PORTUGUESE CONTRACT EMPLOYEE AND HIS FAMILY WILL HAVE THEIR PASSAGE PAID TO PORTUGAL, HALF BY THE ANGOLAN GOVERNMENT AND HALF BY THE PORTUGUESE GOVERNMENT. ALSO ELIGIBLE FOR SHIPMENT AT STATE EXPENSE ARE HOUSEHOLD EFFECTS AND ONE AUTOMOBILE. SAVINGS MAY BE REPATRIATED TO PORTUGAL UNDER THE FOLLOWING FORMULA: UP TO ONE-THIRD OF TOTAL EARNINGS PRIOR TO INDEPENDENCE; UP TO FIFTY PERCENT OF TOTAL EARNINGS SINCE INDEPENDENCE, EXCLUDING THAT PORTION REMITTED MONTHLY AS OUTLINED ABOVE, THE PORTUGUESE GOVERNMENT WILL ASSURE THE INCORPORATION OF THE RETURNING CONTRACT EMPLOYEE INTO THE RANKS OF ADIDOS
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PAGE 03 LUANDA 01297 021731Z

(CIVIL SERVANTS ON HALF PAY).

6. CONTRACTS SIMILAR IN ALL RESPECTS TO THOSE PROVIDED FOR IN THE LAW MAY BE SIGNED WITH PORTUGUESE CIVIL SERVANTS

AFTER INDEPENDENCE.
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